

Senate File 163 - Introduced

SENATE FILE 163

BY McCOY

A BILL FOR

1 An Act relating to the commissioning and appointment of a
2 hospital peace officer.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80B.12, Code 2015, is amended to read as
2 follows:

3 **80B.12 Agreements with other agencies.**

4 The director with the approval of the council may enter into
5 agreements with other public and private agencies, colleges and
6 universities, and hospitals to carry out the intent of this
7 chapter.

8 Sec. 2. NEW SECTION. **135B.35 Hospital peace officers.**

9 1. The governing board of a hospital may authorize a
10 hospital under the control of the board to commission one
11 or more of its employees as peace officers. A hospital
12 peace officer shall have the powers and duties described in
13 subsection 2, if the officer has received adequate training and
14 certification at the Iowa law enforcement academy or at a law
15 enforcement training school approved by the academy.

16 2. a. A hospital peace officer shall have the following
17 powers and duties:

18 (1) General police powers, including the power to arrest,
19 without a warrant, all persons who commit any public offense,
20 including a violation of any local ordinance, within view of
21 the officer.

22 (2) The same common law and statutory powers, privileges,
23 and immunities as a peace officer, including serving as a civil
24 process server, to the extent authorized by the governing board
25 of the hospital.

26 (3) The duty to enforce and to assist the officials of the
27 hospital in the enforcement of the rules and regulations of the
28 hospital.

29 (4) The duty to cooperate with and assist other law
30 enforcement agencies and other peace officers and prosecuting
31 attorneys.

32 b. The governing board of the hospital may expressly
33 prohibit a hospital peace officer from exercising any powers or
34 duties otherwise granted a peace officer by law.

35 3. If the governing board of a hospital commissions and

1 any offense within view of the officer; the same common law
2 and statutory powers, privileges, and immunities as a peace
3 officer, including serving as a civil process server, to the
4 extent authorized by the governing board of the hospital; the
5 duty to enforce and to assist the officials of the hospital in
6 the enforcement of the rules and regulations of the hospital;
7 and the duty to assist and cooperate with other law enforcement
8 agencies, peace officers, and prosecutors.

9 The governing board of the hospital may expressly prohibit
10 a hospital peace officer from exercising any powers granted a
11 hospital peace officer under the bill.

12 If the governing board of a hospital appoints a hospital
13 peace officer, the board may prescribe duties and direct the
14 conduct of the hospital peace officer, prescribe distinctive
15 uniforms, and provide emergency vehicles.

16 A hospital peace officer appointed by the governing board of
17 a hospital may exercise the powers granted under the bill only
18 upon the property owned, leased, or occupied by the hospital,
19 including the streets passing through and adjacent to the
20 hospital property. A hospital peace officer's jurisdiction
21 over additional property may be established by agreement with
22 the appropriate law enforcement agency where the property is
23 located.